

D/F

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

SCOTTSDALE INSURANCE COMPANY,

Plaintiff,

-against-

LCB CONSTRUCTION LLC,

Defendant.

ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated February 14, 2012 from the Honorable Joan M. Azrack, United States Magistrate Judge. No objections have been filed. Accordingly, I have reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Brissett v. Manhattan & Bronx Surface Transit Operating Auth., No. 09-CV-1930682 (CBA) (LB), 2011 WL 1930682, at *1 (E.D.N.Y. May 19, 2011). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1). The Clerk of Court is directed to enter a declaratory judgment that Scottsdale Insurance Company is not obligated to defend or indemnify LCB Construction LLC in the state court action One Double Nine Dashing, LLC v. 203 Northside LLC, et al., No. 033150/2009 (N.Y. Sup. Ct. Kings Cnty.).

SO ORDERED.

/s/(ARR)

Allyne R. Ross
United States District Judge

Dated: March 26, 2012
Brooklyn, New York